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VIA ECF

Hon. Judge Jeannette A. Vargas
United States District Judge
United States Courthouse
500 Pearl St.
New York, NY 10007

MEMO ENDORSED

January 7, 2024

Re: 1:24cv7168, Sumlin V. TEXFC, LLC
Letter Motion for Extension of Time to Serve Defendant – TEXFC, LLC

Dear Judge Vargas:

We are writing to respectfully request an extension of time to serve the defendant, TEXFC, LLC, in the above-captioned case. Despite our diligent efforts to effectuate service, we have been unable to successfully serve the defendant at their known addresses or through alternative service methods.

The complaint in this case was filed on September 22, 2024 [ECF 1], and we first attempted service at the defendant's registered address, located at 93 Whitehead Road, Suite 10259, Hamilton, NJ 08619, which is listed as their Registered US Office. However, on October 9, 2024, we received a proof of non-service indicating that we were unable to complete service at that address [Exhibit 1].

Subsequently, on the same day (October 9, 2024), we attempted service at an alternative address for TEXFC, LLC, located at 293 Whitehead Road, Trenton, NJ 08619-3250, another known address for the company. However, we received a signed proof of non-service that same day stating that the company had moved [Exhibit 2].



On October 17, 2024, we made another attempt at service at 7063 Clubview Drive, Bridgeville, PA 15017-3600, the location of the defendant's US warehouse. Unfortunately, the following day, we received another proof of non-service indicating that there is not a sign of any one was present at that location [Exhibit 3].

After one month of additional research, on November 20, 2024, we attempted to serve TEXFC, LLC through the Secretary of State. However, on November 26, 2024, we learned that service through the Secretary of State was disallowed for the company [Exhibit 3].

Given the challenges we have faced in locating a valid address for the defendant, we respectfully request an extension of time to continue our efforts to serve the defendant. We believe that these attempts demonstrate our good faith and diligent efforts to serve TEXFC, LLC.

Enclosed with this motion are the proofs of non-service and documentation of our attempts, which we respectfully request be considered by the Court.

Thank you for your time and consideration of this matter. Should the Court require any additional information or clarification, we are happy to provide it.

Respectfully Submitted,



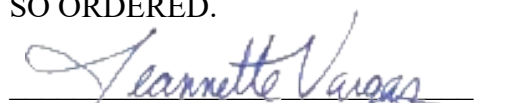
Asher H. Cohen, Esq.

Attorney for Plaintiff

Having reviewed ECF No. 14 and the attached exhibits, the Court finds that Plaintiff has demonstrated good cause for the failure to serve Defendant. Accordingly, motion for an extension of time is GRANTED. Plaintiff's time to serve the Defendant is extended until February 24, 2025. The Clerk of Court is directed to terminate ECF No. 14.

SO ORDERED.

Date: January 7, 2025


HON. JEANNETTE A. VARGAS
UNITED STATES DISTRICT JUDGE